

REMARKS**Regarding the Claim Amendments**

Claims 29 and 42 have been amended to correct obvious typographical errors and to improve the clarity of the claims, in view of the Examiner's Amendment mailed on May 17, 2006. No new matter is believed to have been added.

The Applicants respectfully request entry of this amendment prior to issuance of the patent.

Regarding the Examiner's Amendments

In order to ensure the clarity of the record, the Applicants make note of the following comments with regard to differences between the claims submitted in the Amendment filed with the Office March 20, 2006 and the Examiner's Amendment mailed May 17, 2006.

In claim 31 the text "collagen:bupivacaine" was deleted from the claim after the recited ratio. However, this deletion is not indicated by strikethrough of the this text, instead, the text is simply deleted.

In independent method claims 42, 76 and 89, the limitation "wherein the melting temperature of the composition is from about 42°C to about 46°C" was added to these claims, but the addition of the limitation was not indicated by underlining of the text. Instead, the text was simply added.

The Applicants note that they do not object to the above-listed deletion and insertions and, as indicated above, make note of these insertions and deletions solely for the purpose of clarifying the record. In particular, the insertion of the limitation to rejoined method claims 42, 76 and 89 simply reflects amendments made in the composition claims, with which the aforementioned method claims were rejoined.

Substance of Interview

The Applicants thank the Examiner for his time on May 11, 2006 and for the preparation of the Examiner's Amendment mailed May 17, 2006. The Applicants have reviewed the Examiner's Interview Summary included with the Notice of Allowance and believe the Examiner's comments to be an accurate summary of the discussion of May 11, 2006.

The Applicants note that Applicants' representative, Kimberly A. Bolin, who participated in the interview, is a patent agent, and not an attorney, as indicated on the interview summary.

Regarding the Duplicate Form PTO-1449

The Applicants note that a lined-through copy of the partial form PTO-1449 filed with the Office May 9, 2002 (and received by the Office May 13, 2002) was returned with the Notice of Allowance. The Applicants note that the copy presently received contains four of the five pages submitted to the Office on May 9, 2002. Based on a telephone message received from the Examiner indicating that he had not received page 4 of the PTO-1449, the Applicants, on March 1, 2004, re-submitted a copy of the entire IDS and PTO-1449 submission (originally submitted May 9, 2002).

The Applicants note for the clarity of the record, that an initialed copy of all five pages of the PTO-1449 was received with the Office Action mailed October 20, 2004. Reference #78, which the Examiner did not receive, and therefore did not initial at that time, was resubmitted to the Examiner with the Supplemental Information Disclosure Statement filed November 15, 2005. An initialed copy of the accompanying SB-08 was initially received from the Examiner with the Office Action mailed December 22, 2005.

CONCLUSION

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **437252001200**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account

Dated: June 15, 2006

Respectfully submitted,

By 

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